

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF OKLAHOMA

JOSEPH ALLEN MALDONADO-PASSAGE

Plaintiff

**CIV 20 248**

V.

Case No. \_\_\_\_\_

Defendants

UNITED STATES DEPARTMENT OF INTERIOR,

UNITED STATES FISH & WILDLIFE SERVICES,

FORMER DIRECTOR DAN ASHE,

FEDERAL WILDLIFE AGENT MATTHEW BRYANT

ASST. U.S. ATTORNEY AMANDA GREEN

CONFIDENTIAL INFORMANT JAMES BRANDON GARRETSON,

JEFFERY LEE LOWE

PRO SE PRISONER CIVIL RIGHTS COMPLAINT

**Joseph Maldonado-Passage, the Plaintiff, is filing this Pro Se against the Defendants for the following counts:**

**1. Misleading a Grand Jury**

**2. Perjury**

**3. Conspiracy to Commit Perjury**

**4. False Arrest**

**5. False Imprisonment**

**6. Malicious Prosecution**

**7. Loss of Personal Property**

**8. Pain and Suffering**

**9. Mental Anguish**

**10. The Death of Shirley Schreibvogel**

**11. Discrimination**

**12. Selective Enforcement**

**13. Misrepresentation of the Endangered Species Act (ESA)**

**14. Violating Federal Defendants Oath of Office**

**BACK STORY**

In 1998 the Plaintiff, along with his parents, built a rescue zoo in Wynnewood, Oklahoma. The zoo opened in 1999 providing a home to all different species of exotic animals. The zoo grew into one of the largest private zoos in the United States, housing over 200 Tigers and nearly 400 other exotic animals at one time over the next 18 years. From about 2006 on, the Plaintiff was stalked and harassed by an animal rights advocate who owns Big Cat Rescue in Tampa, Florida. The CEO of Big Cat Rescue, Carole Baskin, bragged on her business website that she paid an employee of Big Cat Rescue, Sue Bass, \$35,000.00 to follow the Plaintiff's every move. Carole Baskin then built a website called "911animalabuse.com", listing the Plaintiff, in her own opinion "an animal abuser", for using Tiger cubs in public interaction events such as magic shows and fairs. At one point, she placed the Plaintiff's name on the Internet as her MOST WANTED (abuser).

The Plaintiff had started his own podcast show called Joe Exotic TV and became a member of the U.S. Press Association. The Plaintiff went on to do an investigative report about Carole Baskin, who was the main suspect in the disappearance of her husband at the time, Donald Lewis. Mr. Lewis was eventually declared deceased and the newly married Carole Baskin was able to collect Mr. Lewis' fortune. Twenty-two years later Mr. Lewis remains missing.

The Plaintiff then shared a photo he found on social media showing three of Big Cat Rescue's (BCR from here onward) staff holding up bloody rabbits they had killed to be fed to her big cats.

The Plaintiff sent this photo to rabbit rescue organizations all over the country. To stop Plaintiff from distributing the photo, Carole Baskin paid to copyright it and filed a lawsuit against the Plaintiff for copyright infringement. After a long court battle, the Plaintiff let her obtain a judgment against him in Florida. The CEO of BCR moved the judgment to Oklahoma where the Plaintiff filed Bankruptcy and BCR sued the Bankruptcy court and paid \$33,000.00 for the Plaintiff's 1/5 (one-fifth) of a family trust left by the Plaintiff's grandfather. BCR continued to file lawsuits even against the Plaintiff's mother, Shirley Schreibvogel, in an attempt to not only bankrupt the zoo, but also the Plaintiff's family with legal fees in Federal court. BCR would continually dismiss the suits right before they were to go to a jury trial, then pick them back up a month after the trial date expired.

BCR has in writing what she calls a 20-Year Plan, in which it spells out the steps to be taken in order to run everyone owning big cats out of business, except themselves and a handful of sanctuaries who are members of the Global Federation of Animal Sanctuaries. When BCR could not put the Plaintiff out of business through court proceedings, they pressured the Federal Fish and Wildlife to put "Generic" tigers on the ESA list to shut down businesses all across the nation. They were pressured by BCR to the point that BCR publicly offered to pay the public \$2.00 and \$5.00 per comment on the Federal Wildlife website pressuring Director Dan Ashe to put Generic Tigers on the list for the sole purpose of allowing animal rights groups to privately sue small zoos and circuses, driving them out of business by misreading the ESA to mean what they want it to mean, as it states on the Federal Wildlife website, the purpose of placing them on the list was to discourage breeding of Generic Tigers. The ESA is being used by animal rights groups and the Federal Government to make Generic privately owned Tigers extinct, which is completely against the purpose Congress made the ESA which was to save a species, not make it extinct.

## CLAIMS

For the entire 18 years the Plaintiff held a valid United States Department of Agriculture Animal Plant Inspection Services (USDA-APHIS) License to commercially operate a zoo, which allowed the Plaintiff to Breed and Sale to other licensees, and was routinely inspected by inspectors who are licensed veterinarians who enforce the Animal Welfare Act and who dictated what to do with the animals within the Plaintiff's zoo and approved protocols including vet care, diets

and enrichment. During those 18 years, even with 4 True species of tigers listed on the ESA, the Federal Fish and Wildlife never once asked how many tigers were located at the zoo, what kind there were, how many died, how many died or where the bodies of those who had died were located. It was when BCR and People for the Ethical Treatment of Animals needed this to become an issue in order to put the Plaintiff out of business to further BCR's 20-Year Plan at whatever means necessary including setting him up by entrapment in 2 bogus murder for hire schemes using a confidential informant, James Garretson, and a crooked cop, Marc Thompson, and a Felon, Jeffery Lowe, who was wanted in Las Vegas, Nevada and is still wanted in that state. Jeffery Lowe conned his way into the Plaintiff's zoo in November 2015 pretending to be a millionaire and investor. Jeffery Lowe brought in an employee of his from South Carolina, Allen Glover, also a felon. Allen Glover turned out to be one of the Government's "hit man" in their murder for hire scheme. The Plaintiff NEVER contacted the informant or the undercover FBI Agent. They always came to the zoo while Plaintiff was working and would bring up the murder for hire scheme every time they were there. During this time, James Garretson and Jeffery Lowe were using the zoo as a front for their credit card fraud, ID theft, mail fraud, illegal drugs, human trafficking and selling tiger parts in Las Vegas, Nevada. The Plaintiff was working with and following the direction of a police officer to gain more information about said crimes taking place. The officer instructed the Plaintiff to ask them questions and seem interested, but not to buy them anything they request or make any cash exchanges and the Plaintiff would be ok and the officer would take the information "up the ladder". The Plaintiff was unaware that during this whole time, the officer was in fact working with Jeffery Lowe in order that I would be the one arrested and out of the way so that Jeffery Lowe could obtain the zoo. Jeffery Lowe went as far as to place a \$100,000.00 price on the Plaintiff's head to get the Plaintiff out of the way. Around the last week of November first week of December, 2017 when their plots did not get the attention of the Plaintiff, and the Plaintiff starting working with PeTA (People for the Ethical Treatment of Animals) to move out animals so that the Plaintiff could leave the zoo for good, as a result of Jeffery Lowe's continuing and escalating threats such as he threatened to beat the "fag" out of the Plaintiff and his husband and to also "bulldoze" the house they lived in on the zoo property if they didn't do what he said. Leaving the zoo was the only way the Plaintiff and his husband felt they would be safe so they moved off site.

Around September 7, 2018 a Federal Grand Jury was misled with the perjury testimony of Allen Glover in order to obtain an indictment against the Plaintiff for 2 counts of murder for hire. The Plaintiff was then arrested in Gulf Breeze, Florida where he had made his home after leaving the zoo. The Plaintiff was transported to Grady County Jail in Oklahoma City, where he remains without bond. During the course of this malicious prosecution, the Plaintiff would not take a

plea to the murder for hire charges so the Government superseded the indictment with 20 Wildlife charges to make the Plaintiff pay the price for asking for a trial.

## ARGUMENT

The Plaintiff argues that the United States Department of Interior and the Federal Fish and Wildlife, along with the former Director of the Federal Fish and Wildlife, placed the generic tiger on the ESA not to protect it, but for the sole purpose of targeting certain individuals and businesses that breed and use generic tigers in commercial businesses. Straight off the FWS (Federal Wildlife Service) website under the ESA Section 4 "General" it states, "By removing the exemption, the service can reinforce the value of conservation breeding of individual tiger subspecies and discourage the breeding of inter-subspecies crossed or generic tigers." This statement clearly shows the Government is not trying to protect the generic tiger but to end their breeding and cause the generic tiger to not exist. The plaintiff argues that Dan Ashe had his own agenda with the AZA "Association of Zoos and Aquarium" a private non-profit organization, to end the competition of small zoo's and private ownership by adding generic tigers to the ESA. Mr. Ashe on April 6, 2016 added generic tigers to the ESA list. This ruling went into effect on May 6, 2016. On Aug 19, 2016 he was appointed president and CEO of AZA who directly and openly has fought against all small zoo and private ownership of generic tigers. According to a statement by the AZA on Aug 16, 2016, with the announcement of Mr. Ashe becoming President and CEO, they state for over 20 years Director Ashe has been working with in and leading US Fish and Wildlife Service an important conservation partner of the AZA, and its members. They go on to state that Mr. Ashe will continue to fulfill his commitment to serve through the end of the current administration. In the interim, he is recused from participating personally and substantially in any particular matter that would have direct and predictable effect on the financial interests of the AZA. The Plaintiff argues that Mr. Ashe over the years and as current as April 6, 2016 to put generic tigers and many other exotic animals on the ESA used his government position for his own personal gain therefore creating a major conflict of interest and abuse of his government position with the AZA and their agenda to stop all small zoos and private ownership, breeding of generic tigers and there cross breeding of cats. The Plaintiff devoted 18 years of breeding and research into inter-breeding and cross-breeding of tigers and lions in order to create species such as Ligers, LiLigers, Taligers, and Tigons. Through the Plaintiff's research, the Plaintiff provided Texas A&M and the National

Institute of Health Genetic Scientist more DNA than anyone in the world to research that cross-bred big cats may be the only ones to withstand the earth's climate change.

The Plaintiff also argues that a Generic animal cannot be protected under the ESA, as a Generic tiger is not a species and has no conservation, period.

The Plaintiff also argues that Agent Matthew Bryant is also using the word "TAKE" out of the ESA to only target and maliciously criminally charge the Plaintiff for humanely euthanizing 5 Generic tigers that were the Plaintiff's personal property. These Generic tigers were rescued animals that had suffered 14 years of painful walking on declawed paws to the point that they were crippled. The Plaintiff followed Oklahoma State Law as well as the rules and procedures of the USDA-APHIS animal welfare act.

The Plaintiff argues that the word "take" was intended for protected species in the wild, not for species in private zoos or homes.

The Plaintiff also argues that the Plaintiff is being discriminated against because he is the only person charged with this statute because the Plaintiff is an openly gay male with the largest collection of generic tigers and cross breeds, as PeTA is enforcing this very statute in private civil suits such as PeTA vs Tri Lake Zoological Park case #1:17-cv-02148-PX, PeTA vs Dade City vase #8:16-cv-2899T-36AA, PeTA vs Wildlife in Need case #4:17-cv-00186-RLY-DML. These civil suits show just cause that the Government has no interest in equal protection under the law for the Plaintiff, which violates the Plaintiff's civil and constitutional rights because he is gay and the Government is discriminating and maliciously prosecuting, which has resulted in false imprisonment of the Plaintiff which has caused the loss of personal property and being the main caretaker of the Plaintiff's mother, Shirley Schreibvogel. This contributed to his mother's death and possible murder by overdose within one year of the Plaintiff's arrest. It is believed that Jeffery Lowe, with the help of Agent Matthew Bryant, had the most to gain by the mother's passing and having her cremated before announcing that she had died, therefore making Jeffery Lowe the sole owner of the zoo land and all assets on the zoo land including the Plaintiff's animals.

The Plaintiff also argues that the ESA of 1973 reads as "The Federal Endangered Species Act of 1973 (ESA) was enacted to protect animal and plant species from extinction by preserving the ecosystem in which they survive and by providing programs for their conservation. The act classifies species as either endangered or threatened". It clearly states by Congress that ESA was meant for Native Plants and Animals, not Exotics that are protected by International agreement. There has never been a Native tiger, generic or otherwise, roaming free in the United States or has one ever had a habitat to live in within the boundaries of the United States. So the FWS and its agents are clearly enforcing these laws under pressure of the animal rights groups.

## FACTS AND CONCLUSIONS

Plaintiff humanely euthanized 5 Generic tigers and was charged with the word "TAKE" and argues that the FWS very own website under Section 4, General Questions and Answers, clearly states, "Private owners would still be able to breed generic tigers without a permit for sale or commercial purposes within their state". The Act does not define commercial purposes, however in the dictionary it means to make money or profit from. Generic tigers could be farmed for meat and fur as long as it was sold only to Oklahoma residents if that was the Plaintiff's desire and in order to do that commercially the animal would have to be killed, which contradicts the word "TAKE" if it was designed for animals in captivity rather than in the wild. The same section also states that anyone could breed and either give away cubs to anyone within the United States as long as they meet the criteria of the Captive Wildlife Safety Act, and you could sell cubs to anyone within your State, which means the Plaintiff was able to sell the cubs in the State of Oklahoma. The reason for pointing this out is the civil lawsuits filed by PeTA under this same Act are being drawn up by violating the words "Harm and Harass" under the definition of "Take", and once again the FWS' own website contradicts itself by allowing you to take cubs away from their mothers to either sell or give away. The FWS is enforcing this only against the Plaintiff while civil suits are being filed by private animal rights groups, which proves the FWS and its agents are abusing their power of selecting the enforcement against the Plaintiff and failing to uphold the Oath that the agents have taken to uphold the law and protect the Constitution.



The Plaintiff holds the United States Department of Interior responsible for the false arrest and false imprisonment of the Plaintiff due to the fact that this department oversees both the USDA-APHIS and the FWS under its watchful eye, and the USDA-APHIS division is who licensed, inspected and instructed the Plaintiff what and when to do things such as construction, safety, health, veterinarian care, enrichment and diet protocols, along with staff training and to keep in line with the Animal Welfare Act. The Department of Interior should make it clear which one of its departments regulate zoos and captive animals born in zoos before arresting anyone. If this is the job of the FWS, again for the last 18 years they have failed at their official position within their scope of their job to protect endangered species if tigers do belong on the ESA. In 18 years never did the FWS ask for an inventory of tigers, their species, deaths, newborns, transfers, sales or where the remains of any euthanized or natural deaths were placed until 2016 when their only effort was to add the word Generic to tiger under the ESA and then neither the FWS nor the Department of Interior sent out a notice asking the number of Generic tigers in Plaintiff's possession. It was only the USDA-APHIS who monitored until the FWS was pressured by PeTA and BCR to enforce this upon the Plaintiff to further a private agenda to end big cats in private collections, except for BCR and the GFAS locations. Therefore being selective of who this is being enforced against, discriminatory against the Plaintiff and purposely targeting the Plaintiff.

The confidential informant was offered \$100,000.00 by Jeffery Lowe to set up and get the Plaintiff out of the way. Agent Matthew Bryant was clearly aware of the incentive being offered and ignored the fact that this was intentional entrapment of the Plaintiff to the point of even knowing a crooked police officer was telling the Plaintiff what to do and say for the purpose of getting higher law enforcement's help. Through the discovery process, the Government Prosecutor Amanda Green provided in discovery material text messages between James Garretson and Agent Bryant that Marc Thompson was a crooked cop and yet still continued to entrap the Plaintiff in their murder for hire scheme in order to collect the \$100,000.00 reward Jeffery Lowe placed on Plaintiff's head. After the Plaintiff was arrested, Jeffery Lowe admitted on social media that he had "set up" the Plaintiff and spent a year to accomplish the job. After the first scheme fell through and the Plaintiff showed no interest, Agent Bryant and James Garretson kept up the pressure by having Garretson call the Plaintiff at his zoo to introduce his "guy". The Plaintiff never contacted Agent Bryant or James Garretson to meet this so-called hit man. When the undercover FBI agent was finally brought into the zoo, they spoke to the Plaintiff but the Plaintiff tried to brush it off by engaging in the conversation so that they would leave. After that, the Plaintiff never contacted anyone about the scheme and moved on with plans to move animals off the zoo property and relocate himself.

Discovery materials show that Agent Matthew Bryant complained to James Garretson that he needed him to pressure the Plaintiff to react but Garretson returns the text that he, the Plaintiff, won't answer his calls or messages. The Plaintiff argues that Agent Matthew Bryant clearly had an invested interest in having the Plaintiff set up and arrested, as he shows prejudice in his investigation by intimidating witnesses to give up their USDA-APHIS Licenses, not confiscating Jeffery Lowe's cell phone or computers, refusing to look at Plaintiff's evidence on his cell phone which would have proved his innocence. Agent Bryant, along with Asst. U.S. Attorney Amanda Green knowingly and willfully participated in Perjury to the Grand Jury by Allen Glover, the scheme hitman in the first murder for hire charge, and for knowingly allowing Allen Glover to commit perjury during his testimony at Plaintiff's trial when he testified that Plaintiff gave him the cell phone he used when he went to Florida to carry out the scheme. The discovery material the Government provided clearly showed he was lying and they continued to allow him to lie under Oath to obtain a false conviction. The perjury continued through Lauren Lowe, Eric Cowie and Carole Baskin which is all documented in court transcripts and discovery material.

The Plaintiff contends that this is the worst kind of gross negligence on the part of the Government's side of tearing down the very justice system this country is built on by allowing perjury to gain false convictions, selective enforcement of the law, discrimination and blatant violation of the Oath of office to uphold the law equally and fair.

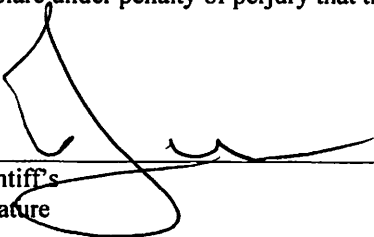
#### RELIEF REQUESTED

Plaintiff is seeking the loss of personal property, 18 years of research and care of 200 generic tigers and cross-breeds for 365 days a year for 18 years at a boarding rate of \$60.00 a day per animal for a total of \$78,840,000.00 and an additional \$15,000,000.00 for false arrest, false imprisonment, discrimination, malicious prosecution, selective enforcement, misinterpreting the law and the death of Shirley Schreibvogel.

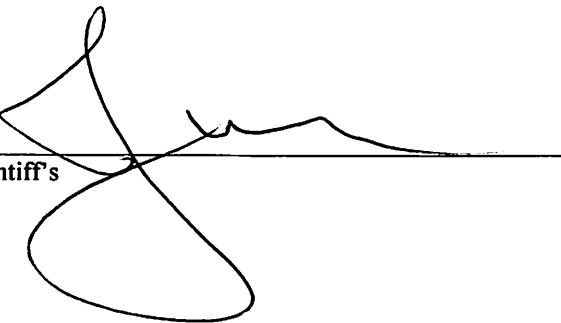
Joseph Maldonado-Passage, Pro Se

DECLARATIONS

I declare under penalty of perjury that the following is true and correct.

3-5-2020 Pro Se  
Plaintiff's signature date

I further declare under penalty of perjury that I placed this complaint in the prison's legal mail system, with the correct postage attached, on the 5 day of MARCH, 2020.

3-5-2020  
Plaintiff's